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The Hopes and Discontents of Indigenous-Settler Reconciliation

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The Hopes and Discontents of Indigenous–Settler Reconciliation

Settler Colonialism and (Re)conciliation: Frontier Violence, Affective Performances, and Imaginative Refoundings, Penelope Edmonds. Palgrave Macmillan, March 2016, 253pp. ISBN: 9781137304537 – hardcover (\$95).

Conflict Transformation and Reconciliation: Multi-level Challenges in Deeply Divided Societies, Sarah Maddison. Routledge, January 2016, 304pp. ISBN: 9780145711593 – hardcover (£95).

From Recognition to Reconciliation: Essays on the Constitutional Entrenchment of Aboriginal and Treaty Rights, eds. Patrick Macklem and Douglas Sanderson. University of Toronto Press, 2016, 536pp. ISBN: 9781442628854 – paperback (\$42.95).

How are Indigenous and settler relationships structured, and how is conflict addressed? In settler-colonial societies, complex patterns exist between Indigenous and non-Indigenous communities who share the same territory, but whose relationships have been characterized by harm and violence. This violence is not just a matter of history,¹ but exists for as long as the Indigenous and settler communities are in conflict – potentially hundreds of years. Moreover, the harm is not solely acute, for example in the form of physical acts of violence; it also takes the form of less visible but nonetheless highly structured and systemic violence. These forms of violence might include discrimination, socioeconomic inequality, poorer health outcomes and denial of meaningful self-determination. How, then, can ‘reconciliation’ occur, when for many the harms are not past but rather continuing, and occur in ways that are not broadly appreciated as violence, as they are committed in times of ‘peace’? How do the field of transitional justice and

¹ Although the historical record of settler-colonial violence is integral, and very well established. In the Australian context, for example, see, Henry Reynolds, *An Indelible Stain? The Question of Genocide in Australia's History* (Ringwood: Viking, 2001); Lyndall Ryan, *Tasmanian Aborigines: A History since 1803* (Sydney: Allen and Unwin, 2012).

reconciliation praxis respond to situations where the violence is insidious, even arguably inherent in the relationship between settler and Indigenous communities? Can these relationships be improved, ~~'healed'~~, what would this ~~'healing'~~ look like and how might this occur?

Three recent books examine how reconciliation operates – and needs to be improved – in settler-colonial states. Looking at the former British colonies and settler societies of Australia, Aotearoa New Zealand, the US and Canada, they question the relationships between Indigenous peoples and non-Indigenous peoples, and also the state. Penelope Edmonds, in *Settler Colonialism and (Re)conciliation*, employs a historical methodology to examine how reconciliation discourse is deployed and refuted in affective performances. In *Conflict Transformation and Reconciliation*, Sarah Maddison examines constitutional, institutional and relational forms that may enhance or inhibit reconciliation in a number of 'deeply divided' societies, thereby placing settler-colonial states within a broader framework for reconciliation. For Patrick Macklem and Douglas Sanderson and the contributors to their edited volume *From Recognition to Reconciliations*, the key site of concern is legal – particularly constitutional – embodiment of the settler–Indigenous relationship. Macklem and Sanderson view 'reconciliation' as 'a juridical concept developed by the judiciary to ascribe meaning and purpose to recognition,' which also 'implicates acts and processes that seek to bring justice to Indigenous-settler relations in a host of legal, political, social and methodological settings' (p. 6). In all three books, justice is described as an improved relationship between Indigenous and settler communities. Taking the books together allows an inquiry into how multiple aspects of reconciliation – affective, institutional, legal – can be employed to achieve justice.

The field of transitional justice has not always concerned itself with questions of Indigenous and settler relationships; these books are additions to a relatively recent area of inquiry. The traditional emphasis of transitional justice on moments of 'rupture' in communities has meant that it has been ill-suited to the structural, systemic nature of human rights abuses and conflict that occur in settler-colonial states. There is an existential question here: how do we

understand conflict itself? The answer shapes how conflict is responded to, and how reconciliation efforts are deployed. Transitional justice has traditionally been tied to a narrative of linear progress, where societies move from conflict to reconciliation or from an authoritarian regime to a democratic one. ~~These~~ In these 'paradigmatic' transitions, ~~show how~~ transitional justice has ~~been understood to~~ normatively aspired to particular understandings of democracy.² Countries like Australia, Aotearoa New Zealand, the United States and Canada have been seen as aspirations: stable states, with robust systems of governance, constitutions and no declared wars on their territory. Their historical and ongoing conflicts with Indigenous populations have not been considered as in need of transitional justice methodologies and processes, and 'the extent to which liberal democracies themselves might be considered in need of "postconflict" reconciliation and restorative justice' has been ignored.³ As a field, transitional justice has tended to focus on 'rule of law reform, not decolonisation or socioeconomic transformation'.⁴

In recent years, these aspects of transitional justice, and the resulting approach to reconciliation practice and theory, have attracted critique. Scholars have pointed out the field's preoccupations with particular forms of justice (often framed in individualized and neoliberal ways), its emphasis on legalism and the prominence given to liberal democratic state building as a normative ideal.⁵ Some have rejected the idea that 'transitional justice is only for the Global South or only for countries dealing promptly with extremely recent histories of egregious violation'.⁶ These characteristics of transitional justice can 'mask or obscure power relations

Commented [SR1]: I have rejected the suggested deletion, because the books also look to New Zealand and the US (in Edmonds). However, I am not too wedded to this because of the earlier mention of these states, so it's up to you.

² Fionnuala Ní Aoláin and Colm Campbell, 'The Paradox of Transition in Conflicted Democracies,' *Human Rights Quarterly* 27(1) (2005): 172-213.

³ Jennifer Balint, Julie Evans and Nesam McMillan, 'Rethinking Transitional Justice, Redressing Indigenous Harm: A New Conceptual Approach,' *International Journal of Transitional Justice* 8(2) (2014): 195.

⁴ Rosemary L. Nagy, 'The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission,' *International Journal of Transitional Justice* 7(1) (2013): 54-55.

⁵ See, Zinaida Miller, '(Re)Distributing Transition,' *International Journal of Transitional Justice* 7(2) (2013): 370-380.

⁶ Michelle Bonner and Matt James, 'The Three R's of Seeking Transitional Justice: Reparation, Responsibility, and Reframing in Canada and Argentina,' *International Indigenous Policy Journal* 2(3) (2011): 24.

within that discourse and which dominates “the imaginative space of emancipation.”⁷ In making such criticisms, scholars have expanded the field to also examine ‘established democracies.’⁸

At the same time, these critiques have shown that transitional justice might not be able to provide the justice sought by Indigenous peoples, and might even be used to bolster the legitimacy and position of the state. The use of transitional justice and reconciliation in settler-colonial states might suggest that harms are only historical, and that the state is now a ‘beneficent mediator’ in bringing together Indigenous and non-Indigenous citizens, under a banner of ‘equality.’⁹ This does nothing to address the ongoing conflicts in which the state remains complicit – particularly when such conflicts concern the political status of Indigenous peoples, who reiterate their own sovereignty and may contest that of the state. In these ways, reconciliation has failed to address the violence of settler-colonial practices and has even been invoked to worsen the situation for Indigenous peoples, whose justice claims are made *against* the state.

The three books under review are a useful addition to the literature on transitional justice and on reconciliation in settler societies, particularly because they acknowledge the tensions around whether and how transitional justice might actually be useful for relationships between Indigenous peoples, non-Indigenous peoples and the state. Each of these books acknowledges the challenges of reconciliation for these relationships, while making normative interventions to demonstrate how reconciliation praxis – and, ultimately, these relationships – might be improved.

⁷ Nicola Henry, ‘From Reconciliation to Transitional Justice: The Contours of Redress Politics in Established Democracies,’ *International Journal of Transitional Justice* 9(2) (2015): 217, including a citation to Duncan Kennedy, ‘The International Human Rights Movement: Part of the Problem?’ *Harvard Human Rights Journal* 15 (2002): 109.

⁸ See particularly, Stephen Winter, *Transitional Justice in Established Democracies: A Political Theory* (New York: Palgrave Macmillan, 2014); Stephen Winter, ‘Towards a Unified Theory of Transitional Justice,’ *International Journal of Transitional Justice* 7(2) (2013): 224-244.

⁹ Henry, *supra* n 7. See also, Damien Short, *Reconciliation and Colonial Power: Indigenous Rights in Australia* (London: Routledge, 2008).

Reconciliation in affective, institutional, and legal modes

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In *Settler Colonialism and (Re)conciliation*, Edmonds analyses reconciliation discourse as deployed in particular contemporary 'affective performances,' and places these discourses and performances in their historical context. This is an examination of 'the performative life of reconciliation and its discontents in settler societies' (p. 2). She is interested in how reconciliation discourse is ~~deployed~~used 'on the ground' and the 'performative affect' of these discourses. Edmonds shows that these types of reconciliatory gestures and contemporary reconciliation politics have a long lineage, arguing that they should be understood as a continuation of historical 'conciliation' practices employed by British and other European colonial powers. Through case studies from the US, Australia and Aotearoa New Zealand, the five substantive chapters each examine a contemporary 'reconciliation' performance, such as the 2013 'Two Row Wampum Renewal' celebrations in the US and the 2000 'walking together' performances in Australia (including the march over the Sydney Harbour Bridge). Edmonds uses archival material to examine how the past affects the performance and its reception in the present.

The book makes multiple important contributions. In addition to offering new examples of 'affective performances' or public displays of 'reconciliation,' it intersects with an increasing interest in aesthetics, objects and art, and their relationships with reconciliation and conflict.¹⁰ Reconciliation, writes Edmonds, has 'emerged as a potent and alluring form of utopian politics' (p. 1), but it is also 'a term whose complexity is often greatly underestimated' (p. 14). Edmonds demonstrates that the utopic promise of reconciliation often coexists with a coercive force that

¹⁰ For example, the Arts and Humanities Research Council in the UK has recently funded a large project on 'Art and Reconciliation: Conflict, Culture and Community,' to be undertaken by King's College London, the London School of Economics and the University of the Arts in London. Other projects that examine aesthetics and postconflict societies include the University of Liverpool's project on the 'Aesthetics and Counter-Aesthetics of Law,' which particularly examines critical approaches to international criminal law. Also see, Jessie Hohmann and Daniel Joyce, eds., *International Law's Objects: Emergence, Encounter and Erasure through Object and Image* (Oxford: Oxford University Press, forthcoming).

expects Indigenous communities to forgive settler communities. In these societies and their reconciliatory discourses, 'compassion, heart, forgiveness, trust and hope exist in tension with horror, loss, betrayal and suffering' (p. 115).

The tension between reconciliation's promises and the reality of its discontents also permeates *Conflict Transformation and Reconciliation*. Maddison takes a deliberately broad view of reconciliation practice, with Indigenous-settler relations as one focus. Drawing out the similarities in reconciliation and peacebuilding across four diverse societies, she seeks to 'facilitate a deeper understanding of reconciliation in all its complexity' (p. 17) in order to develop a framework for reconciliation and conflict transformation. Maddison focuses on Northern Ireland, Australia, Guatemala and South Africa, which she argues are 'deeply divided' societies. In each of these countries, there was a moment of promise, a particular point of hope that the conflict would be resolved and the community would be able to live together in peace. However, in each case that hope was never fully realized. Maddison is primarily interested in the gap between the promise and its lack of fulfilment. Why has reconciliation proved so elusive in these very different contexts?

While an analysis of four diverse societies may appear overly ambitious and even unclear, Maddison's choice is both the strength of her work and its key contribution to the transitional justice field. The differences in type of conflict and demographics in the countries are productive, allowing Maddison to set out the commonalities of reconciliation praxis. Building on her experience with interview-based methodologies,¹¹ Maddison bases her argument on interviews with 'over 80 reconciliation actors from all sides of these deep divisions' (p. 4). She provides a strong answer to the existential question raised earlier, of how best to understand conflict. She argues that conflict is not to be 'overcome or resolved' but rather 'an essential democratic dynamic that may enable political actors to contest unjust situations' (p. 26). In this

¹¹ See, e.g., Sarah Maddison, *Black Politics: Inside the Complexity of Aboriginal Political Culture* (Sydney: Allen and Unwin, 2009).

sense, conflict is not viewed pejoratively; it is to be worked with, and to some degree welcomed, rather than 'fixed.' This has implications for how Maddison views reconciliation. For her, it is best understood 'agonistically,' as something that does not seek to resolve conflict but to work productively with it. Reconciliation is 'a process of revolution rather than restoration,' allowing a space of contestation 'in which divergent views can be engaged without fear of violence or reprisal' (p. 16).

Over 12 chapters, Maddison makes the case for her framework for reconciliation and 'multi-level conflict transformation' (p. 13). The particular levels she examines are the institutional, constitutional and relational, and she charts the challenges for each. These 'levels' are interlocking and rely on each other; they are not discrete, or sequential (p. 16). There is an impressive clarity to Maddison's book. In addressing four societies, and three 'levels' of her framework, Maddison has woven a complex but coherent narrative. She demonstrates how settler societies are similar to other 'deeply divided societies,' but also addresses the challenges that are particularly taut in settler-Indigenous relations. Ultimately, Maddison argues, reconciliation cannot be simply undertaken by individuals, the state or communities in isolation, but rather by whole ~~communities~~societies, with 'patience, persistence, creativity, risk, tolerance of conflict, and substantial investment over a long period of time' (p. 269).

While Maddison addresses constitutional issues as one of three 'levels' in her framework, Macklem and Sanderson offer a detailed examination of a constitutional framework and how rights and reconciliation interact with this 'recognition' in one particular settler society, Canada. This impressive collection deals with Section 35(1) of the Canadian constitution, which states that 'the existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.'¹² As is common in constitutional law, much rests on judicial interpretation and the operationalization of this provision. The first decision of the Supreme

¹² Constitution Act (1982), Schedule B to the Canada Act 1982 (UK), Section 35(1).

Court of Canada to interpret Section 35(1) was in the case of *R v. Sparrow*,¹³ which stated that the provision 'renounces the old rules of the game' and 'calls for a just settlement for aboriginal peoples.'¹⁴ But what might this 'just settlement' be? How can it be achieved, and what implications might flow from it? How does a 'just settlement' interact with recognition and reconciliation?

The 18 essays of this book engage with such questions and, as a collection, the volume ultimately argues that 'recognition and reconciliation are both means and ends of a just constitutional and political order' (p. 14). Macklem and Sanderson have brought together an impressive array of authors and subjects. Indigenous and non-Indigenous scholars from several settler-colonial states are contributors, many of them recognized as leaders in their fields. This in itself is a highlight of the collection, as the reader is able to approach the essays as a dialogue between these authors on a topic of shared concern. The book's essays are structured around five main themes: reconciling sovereignties, contesting methodologies, constitutional consultations, recognition and reconciliation in action, and comparative reflections. These themes allow an examination 'of the evolving relations between Indigenous peoples and the Canadian state' (p. 14).

A key contribution of this collection is the discussion of Indigenous and settler sovereignties. Four contributions directly address questions of legal pluralism and what is meant by the idea of sovereignty. For example, Jeremy Webber examines four different conceptions of sovereignty (p. 76), which demonstrates that while sovereignty is often invoked as a unified, almost monolithic concept in legal and political reasoning, it can instead be understood as something complicated and multifarious. Another particularly useful section of this book addresses comparative reflections from other countries with similar concerns about Indigenous-

¹³ *R v. Sparrow* [1990], 1 SCR, 1075.

¹⁴ *Ibid.*, 1105-1106, quoting Noel Lyon, 'An Essay on Constitutional Interpretation,' *Osgoode Hall Law Journal* 26 (1988): 100.

settler reconciliation. This section places Canada's domestic constitutional law within a broader transnational Indigenous movement, demonstrating both the shared concerns for Indigenous peoples in settler colonial states, and yet the variety of state frameworks for Indigenous-state relationships. For example, in this section Megan Davis and Marcia Langton from Australia point out that 'Reconciliation in Australia has failed', because it has been state-centric and based around a time-limited statutory process which was established only after the state 'reneged on a national framework for land rights and a treaty process' (p. 472). Aboriginal and Torres Strait Islander peoples in Australia look to Canada as 'the gold standard' (p. 473) with a variety of mechanisms that are not available for Indigenous peoples in Australia. However, in his chapter, John Borrows points out that Canada is perhaps not actually the 'gold standard', but instead the United States has had greater comparative success of legislative measures with regards to the rights of Indigenous peoples. 'In spite of the seeming advantage of Canadian constitutional recognition', Borrows argues, 'Native American people in the United States enjoy greater practical legal recognition in relation to governance, culture, and the environmental conservation and development' (p. 476-7). At the heart of this is 'policy frameworks ... that build on principles of self-determination' (p.477). These examples show how practically important self-determination and sovereignty are to Indigenous-state relationships: in Australia, these are perhaps less recognised than in Canada, but compared to the United States, Canada lags somewhat behind. These comparative insights allow us to enquire into how reconciliation measures are affected by existing Indigenous-state legislative frameworks, and how sovereignty might affect these reconciliatory policies.

How should reconciliation be undertaken?

Each of the three books under review is motivated by a quest for justice, in its multitude of forms, and for improved relationships between communities whose relationships have been defined by great violence. As Edmonds asks,

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how, then, do we hold this enduring violence in our consciousness and yet continue to live together in these fraught, mixed, nominally 'postcolonial' settler societies, where we are all here to stay? How are these tensions expressed in public 'reconciliatory' settler cultures, which are shaped by the politics of redress, on the one hand, and the ongoing violence of colonial structures, on the other, as complementary modes of settler governance? (p. 2)

The books assist our understanding of reconciliation praxis in settler societies, in particular by offering four main normative interventions: that reconciliation should be understood as a continuing process rather than an endpoint; that reconciliation is best considered ambivalent, rather than as a moral good; that Indigenous voices, methodologies and knowledges must be central in reconciliation discourse; and that Indigenous sovereignty must be a fundamental element of reconciliation.

There is an increasing understanding that reconciliation is not a final destination that is easy to arrive at – it is, instead, a complex, contested and political process. These authors demand us to understand that conflict and postconflict are not necessarily linear progressions. Maddison reminds the reader that while the idea of a 'cycle of conflict' might prove useful as a 'heuristic device,' conflict is actually a 'complex social phenomenon ... embedded in social and political relationships' and possessing a great dynamism (p. 22). Reconciliation is not 'a line to be drawn' but rather 'an ongoing process' (p. 17). For Macklem and Sanderson, too, reconciliation 'is a matter of deep political contestation' (p. 6).

Edmonds makes a similar point ~~differently~~ but in a different way, by pointing out continuities in reconciliation praxis over a long period of time. Reconciliation, she shows, has been 'widely understood as a postcolonial phenomenon'; however, in settler societies, reconciliation 'did not emerge fully formed, but has its historical roots in past practices of conciliation, as both an intellectual idea and an imperial repertoire' (p. 19). Edmonds traces the use of conciliation as a tool of imperial legitimacy building, relating this to contemporary

'reconciliation' gestures, and this further strengthen~~ing~~ claims that reconciliation has been deployed as an aspect of the settler-colonial project rather than as a genuine attempt at atonement.¹⁵ Edmonds shows that (re)conciliation is not an end-point but a deeply political and ongoing process of negotiating power, conflict and relationships.

At the heart of these ideas about reconciliation as a process, rather than an aspiration, is an understanding that reconciliation is not an unqualified good. All the books show a level of ambivalence towards reconciliation. Edmonds notes that 'for many Indigenous peoples and allied others in settler nation states today, "reconciliation" has become a dirty word' (p. 8), echoing the fact that many Indigenous peoples see state-sponsored reconciliation 'as an agenda to empty out or depoliticize Indigenous demands for justice and truth.'¹⁶ Maddison addresses this by employing an 'agonistic approach' drawing on other 'agonistic democracy' theorists. The approach 'recognises the fluid nature of political conflict and the resulting need for political responses that are context specific rather than attempts at a universal model' (p. 52). In contrast to much reconciliation literature, which normatively strives for the absence of conflict and the presence of some peace or harmony, Maddison's 'agonism' sees conflict as something to be managed and possibly transformed, holding 'out hope that in spaces of irresolvable conflict divided societies will expand their political capacities, embrace conflict without violence, and find new ways of respecting old adversaries' (p. 51).

The three books also demonstrate the normative importance of Indigenous knowledges to any genuine reconciliation attempt. Too often in settler societies, Indigenous epistemologies and ontologies have been ignored or misunderstood, which exacerbates the conflicts between Indigenous and non-Indigenous communities. The very site of knowledge becomes a new

¹⁵ See, Short, *supra* n 9.

¹⁶ Clare Land, *Decolonizing Solidarity: Dilemmas and Directions for Supporters of Indigenous Struggles* (London: Zed Books, 2015), 118.

battleground.¹⁷ The authors appear to have made genuine attempts to place Indigenous ontologies at the centre of their work. Macklem and Sanderson have done this explicitly. In addition to a number of Indigenous authors contributing to the volume, one of the galvanizing questions of the collection is: 'What does "reconciliation" mean in the context of methodological and epistemological contestation?' (p. 8) Responding to this question, Dale Turner's essay focuses on Indigenous knowledge and Jean LeClair's essay addresses the 'normative impact of epistemological choices' (p. 179). Turner particularly makes the argument for listening to Indigenous voices and taking Indigenous knowledge seriously, in order to ensure constitutional reconciliation. Edmonds, too, deliberately places Indigenous activism at the heart of her work, and argues that this is an activism that 'politically reconfigures raced relationships by drawing on the past to centralize Indigenous experience in the national narrative' (p. 188). She demonstrates that some affective performances are 'more radical (or decolonizing) than others' and that these are performances which 'position Indigenous history and memory at the centre' (ibid.). Maddison, meanwhile, emphasizes Indigenous experiences through her interviews with Indigenous reconciliation actors.

Placing Indigenous epistemologies and ontologies at the heart of each book is a politically significant move. The authors avoid presenting reconciliation as something to be 'provided to' Indigenous peoples by altruistic but guilt-ridden settler communities, in order to settle some historical wrong or address some perceived deficit. Instead, reconciliation is appropriately conceived as a coming together through respect for different ways of knowing. Such a view does not see Indigenous peoples as requiring settler or state intervention, but rather as holding their own strengths, sovereignties and ways, which may meet with the ways of the state and settlers. This is a more complex and challenging form of reconciliation, and, in line with Maddison's argument, it may continue to involve forms of conflict because different

¹⁷ See particularly, Linda Tuhawei Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books, 2012).

knowledge systems will not always be aligned. Moreover, it is a reconciliation which involves multiple perspectives, rather than an assimilationist reconciliation that prioritizes 'coming together in one voice.'¹⁸ These authors understand that reconciliation in a settler-colonial state can only be appropriately undertaken in ways that involve multiplicity, difference and dialogue between Indigenous and settler knowledges.

Central to this approach is Indigenous sovereignty. As critical transitional justice scholars have pointed out, state-sponsored reconciliation initiatives have at times operated to bolster the position of the state and deny Indigenous sovereignty claims.¹⁹ There has been a clash between sovereignty discourse and reconciliation discourse. As Edmonds states, there is a 'problem at the heart of reconciliation' which involves the framing of reconciliation around 'a negation of Indigenous sovereignty' (p. 183). These books, however, demonstrate that reconciliation theory and practice must be grounded in an appreciation that Indigenous peoples have never ceded sovereignty and continue to practice that sovereignty, potentially even to the degree of resisting the legitimacy of the state.

Macklem and Sanderson centre sovereignty in a particularly nuanced way. The Court in the *Sparrow* case held that "reconciliation of the pre-existence of aboriginal societies with the sovereignty of the Crown" ... is the underlying "purpose" of constitutional recognition of Aboriginal and treaty rights' (pp. 5–6). This suggests that Aboriginal sovereignty is somehow merged with that of the Crown. The editors and contributors respond by demonstrating that the Canadian territory is home to multiple sovereignties which must meet. This is a matter of legal pluralism, and ultimately it will involve interactions between different ways of knowing and doing

¹⁸ For more discussion on this, see, Land, *supra* n 17.

¹⁹ See particularly, Short, *supra* n 9; Henry, *supra* n 7; Balint et al., *supra* n 3. See also, Glen S. Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2015); Glen S. Coulthard, 'Subjects of Empire: Indigenous Peoples and the Politics of Recognition in Colonial Contexts,' *Contemporary Political Theory* 6(4) (2007): 437-460.

law.²⁰ In asserting Indigenous sovereignty, and in challenging dominant methodologies and epistemologies, the collection engages with reconciliation from the perspective of reiterating – rather than denying – Indigenous sovereignties and knowledges.

Tempered Hope and Envisaging a Future

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The four main normative interventions that connect the books under review show how reconciliation can be improved in settler societies. Indeed, the reader is encouraged to employ a tempered hope: to maintain optimism for the future while acknowledging the imperfections of reconciliation theory and the problems with reconciliation in practice. Edmonds suggests that we ‘must not be seduced by reconciliation’s utopian politics, yet neither can we reject it altogether’ (p. 11). However, these books also show that the utopian mode is productive; it allows communities and academics to imagine – and work towards creating – a ‘more just’ world. The promise of reconciliation is that it will ‘address the legacy of violent pasts, stabilize the present, and imagine new national futures’ (p. 1). While the promise may not be fully realizable, ‘envisaging,’ as Linda Tuhiwai Smith argues, has been a crucial Indigenous strategy ‘to bind people together politically.’ Envisaging asks ‘that people imagine a future, that they rise above present-day situations which are generally depressing, dream a new dream and set a new vision.’²¹ It is a way of producing Indigenous knowledge and of supporting a political project of liberation. And, as John Borrows points out in his chapter in *From Recognition to Reconciliation*, ‘there are reasons to act, even though our interventions will never produce certainty, determinacy, and truth. There is no escape from our always less-than-perfect circumstances, and though one must ever be appropriately cautious and critical, there is room for improvement’

²⁰ For more on this in the Canadian context, see, John Borrows, *Recovering Canada: The Resurgence of Indigenous Law* (Toronto: University of Toronto Press, 2002). For more on Australian Indigenous jurisprudence, see, Christine Black, *The Land is the Source of the Law: A Dialogic Encounter with Indigenous Law* (London: Routledge, 2010).

²¹ Smith, *supra* n 19 at 153.

(p. 475). It is such improvement that these books, and their normative suggestions, ultimately help to envisage into being.

These three books demonstrate that in critically engaging with reconciliation theory and practice – in performative, political and legal modes – it is possible to make normative suggestions for how reconciliation should be done and how an improved relationship between Indigenous and settler communities, and the state, might be achieved. In doing so, they bring greater understanding of the complexity of conflict and the hopes and discontents of reconciliation for settler-colonial states. Reconciliation in such states must be an ongoing process rather than an end-point; it will shape the contours of Indigenous–settler relationships but must be undertaken in a way that acknowledges, rather than undermines, Indigenous sovereignties and knowledges. This is a complex and challenging process, but there is no other genuine possibility for addressing the structural violence of settler colonialism.

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